



**US Army Corps  
of Engineers®**  
Nashville District

# Public Notice

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Public Notice No. 01-64

Date: August 14, 2001

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Application No. 200101451

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Please address all comments to:  
Regulatory Branch, 3701 Bell Road, Nashville, TN 37214-2660

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JOINT PUBLIC NOTICE  
US ARMY CORPS OF ENGINEERS  
TENNESSEE VALLEY AUTHORITY  
AND  
STATE OF TENNESSEE

**SUBJECT:** Proposed Widening of State Route (SR) 30/33 from the Polk County Line to 12<sup>th</sup> Street in Etowah, McMinn County, Tennessee

**TO ALL CONCERNED:** The application described below has been submitted for a Department of the Army Permit pursuant to **Section 404 of the Clean Water Act (33 U.S.C. 1344)**. Before a permit can be issued, certification must be provided by the State of Tennessee, Division of Water Pollution Control, pursuant to Section 401(a)(1) of the CWA, that applicable water quality standards will not be violated. By copy of this notice, the applicant hereby applies for the required certification.

**APPLICANT:** Tennessee Department of Transportation (TDOT)  
Suite 1200, James K. Polk Building  
505 Deaderick Street  
Nashville, Tennessee 37243

**LOCATION:** Segment of SR-30/33 (US-411) beginning at the Polk County Line to 12<sup>th</sup> Street in Etowah, McMinn County, Tennessee. Culpepper Creek, Conasauga Creek, Cane Creek, and unnamed Cane Creek tributaries would be affected by culvert or bridge construction. The proposed activities are located on the Etowah, Tennessee, USGS Quad Map (123-E).

**DESCRIPTION:** TDOT proposes to widen and reconstruct 4.3 miles of SR-30/33 along existing alignment for public use [Project No. 54007-1211-04]. The purpose of the enhancements is to relieve congestion, improve traffic flow, correct deficiencies in both vertical and horizontal alignment, and correct substandard roadway and shoulder widths. In rural areas, new construction would consist of four 12' traffic lanes, 12' shoulders, 50' median, and a typical distance from edge of shoulder to ditch centerline of 18'. In urban areas, the new construction would consist of four 12' traffic lanes, one 12' two-way turning lane, 12' shoulders, and 18' typical from edge of shoulder to ditch centerline. TDOT states that alternate alignments were not studied in detail due to the likelihood of increased environmental damage and greater construction costs incurred by building on a new alignment. The work as proposed would result in the deposition of fill material

in waters of the United States associated with culvert and bridge construction. These activities are subject to DA authorization.

An individual DA permit would be necessary at the location described below:

- **Sta. 1+605.5:** Approximately 34' of existing 2 @ 10'x6' concrete box culvert would be removed and approximately 228' of 2 @ 12'x4' concrete box culvert constructed. The existing stream channel would be impacted for a length of 226'. The work described would occur at Mile 0.8, Culpepper Branch, Lat. 35.2700°/Long 84.5467°.

The applicant has requested that the Corps of Engineers verify that other project activities meet the criteria for authorization under the Nationwide Permit Program [March 9, 2000, Federal Register (65 FR 12818)]. These additional locations are as follows:

- Sta. 3+181.098: Removal of an existing 328' long concrete deck girder bridge and construction of a new 328', 11-span, concrete deck girder bridge. The work described would occur at Mile 9.8, Conasauga Creek, Lat. 35.2850°/Long 84.5467°.

- Sta. 5+216: Removal of the existing concrete deck girder bridge and construction of a new 190', 3-span, concrete deck girder bridge. The work described would occur at Mile 2.7, Cane Creek, Lat. 35.3000°/Long 84.5383°.

- Sta. 6+753.089: Installation of 110' of 1 @ 10'x7' concrete box culvert. The work described would occur in an unnamed Cane Creek tributary, Lat. 35.3133°/Long 84.5300°.

- Sta. 7+253.759: Installation of 127' of 2 @ 8'x5' concrete box culvert. The work described would occur in an unnamed Cane Creek tributary, Lat. 35.3183°/Long 84.5292°.

**MITIGATION:** TDOT has indicated that no suitable mitigation sites were available within the project limits. The 226' of stream channel length impacted by encapsulation at Sta. 1+605.5 would be mitigated in the proposed "In-Lieu Fee Program" being presently developed by federal and state natural resource protection agencies.

Plans of the proposed work are attached to this notice.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. In

addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b)(1) of the CWA (40 CFR Part 230). A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The Tennessee Department of Transportation in cooperation with the Federal Highway Administration prepared an EA in 1993 concerning approximately 21 miles of SR-30/33 from US-64 (Polk County) to 0.20 mile north of SR-30 (McMinn County). The Corps will reference this EA in the preparation of a new EA, pursuant to the National Environmental Policy Act (NEPA), to document the anticipated impacts associated with the proposed activities. Comments received in response to this public notice will be fully considered and evaluated in the preparation of the required NEPA document prior to a final permit decision.

The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known which would be affected by the proposed work. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the office of the State Historic Preservation Officer.

Based on available information, the proposed work will not destroy or endanger any federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act, and, therefore, initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

Other federal, state, and/or local approvals required for the proposed work are as follows:

- a. Tennessee Valley Authority (TVA) approval under Section 26a of the TVA Act. In addition to other provisions of its approval, TVA would require the applicant to employ best management practices to control erosion and sedimentation, as necessary, to prevent adverse aquatic impacts.
- b. Water quality certification from the State of Tennessee in accordance with Section 401(a)(1) of the Clean Water Act.

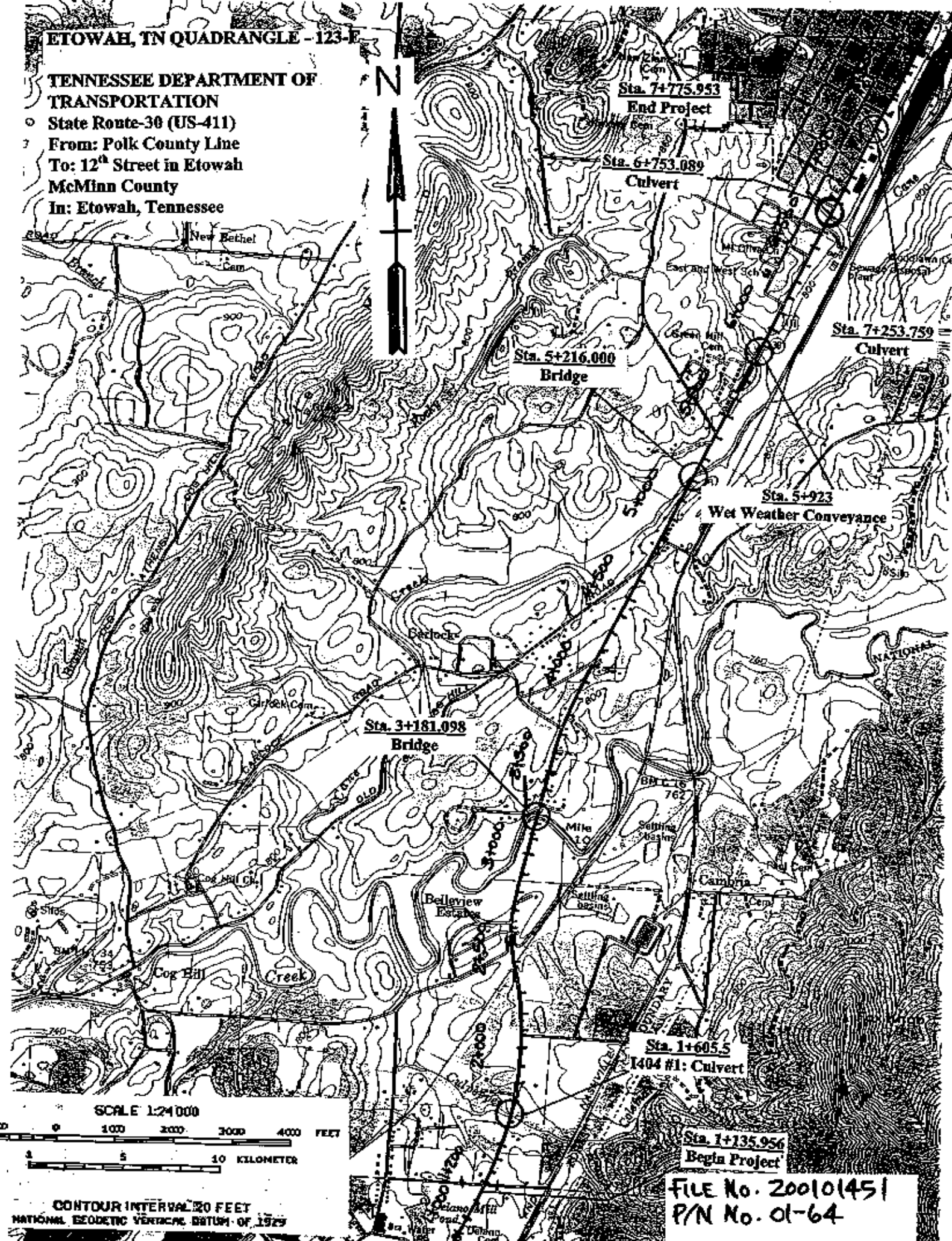
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Written statements received in this office on or before September 13, 2001, will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attention: J. Ruben Hernandez, at the above address, telephone (615) 369-7519. It is not necessary to comment separately to TVA since copies of all comments will be sent to that agency and will become part of its record on the proposal. However, if comments are sent to TVA, they should be mailed to Chickamauga-Nickajack Watershed Team, 1101 Market Street (PSC 1E), Chattanooga, Tennessee 37402-2801.

ETOWAH, TN QUADRANGLE - 123-E

TENNESSEE DEPARTMENT OF  
TRANSPORTATION

- State Route-30 (US-411)
- From: Polk County Line
- To: 12<sup>th</sup> Street in Etowah
- McMinn County
- In: Etowah, Tennessee



SCALE 1:24,000

0 100 200 300 400 FEET

0 5 10 KILOMETER

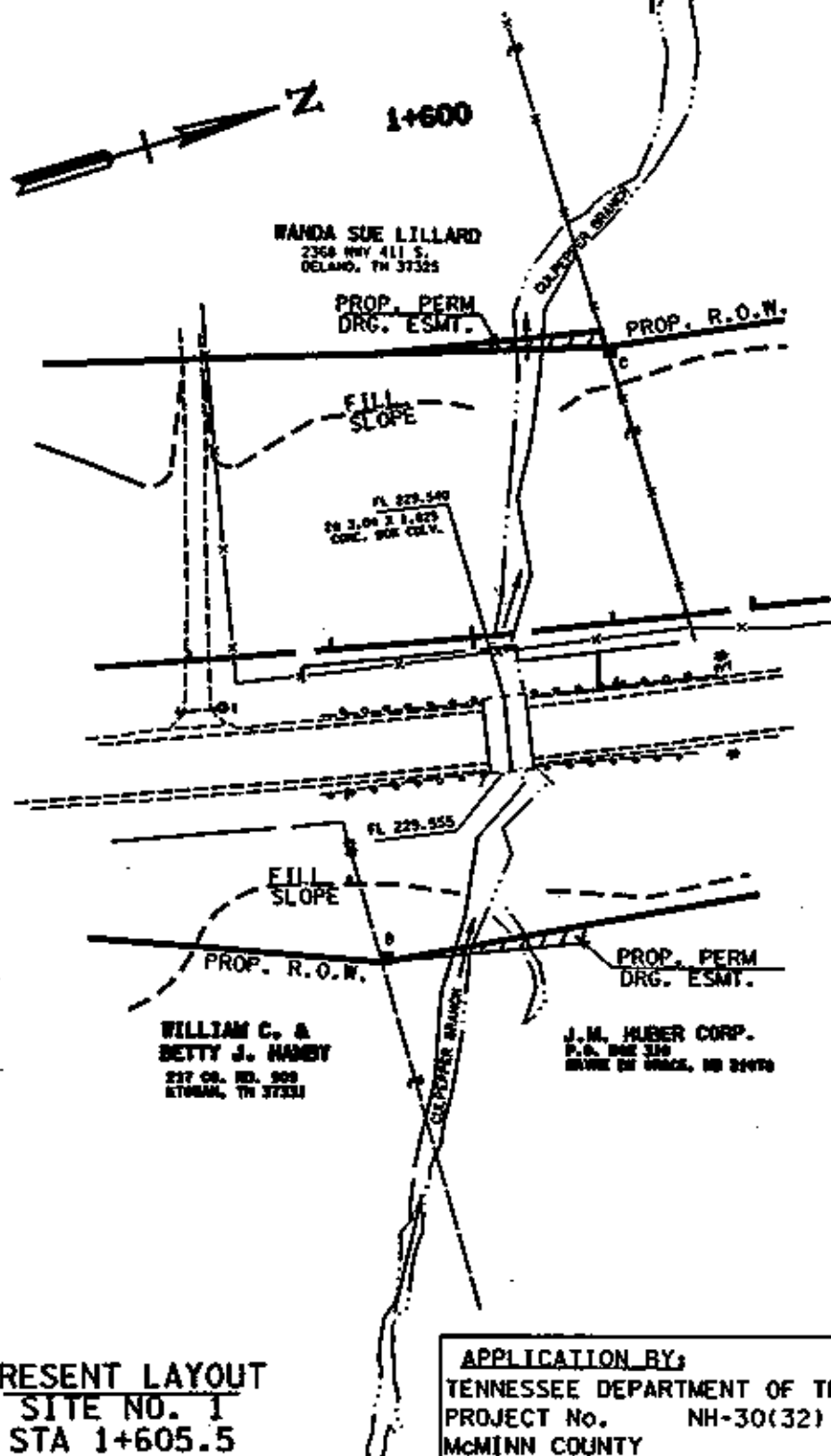
CONTOUR INTERVAL 20 FEET

NATIONAL GEODETIC VERTICAL DATUM OF 1929

FILE No. 200101451

P/N No. 01-64

Permit Sketch



PRESENT LAYOUT  
SITE NO. 1  
STA 1+605.5  
SCALE 1:500

10.523m OF 2 @ 3.04m x 1.825m EXISTING CONC. BOX CULVERT

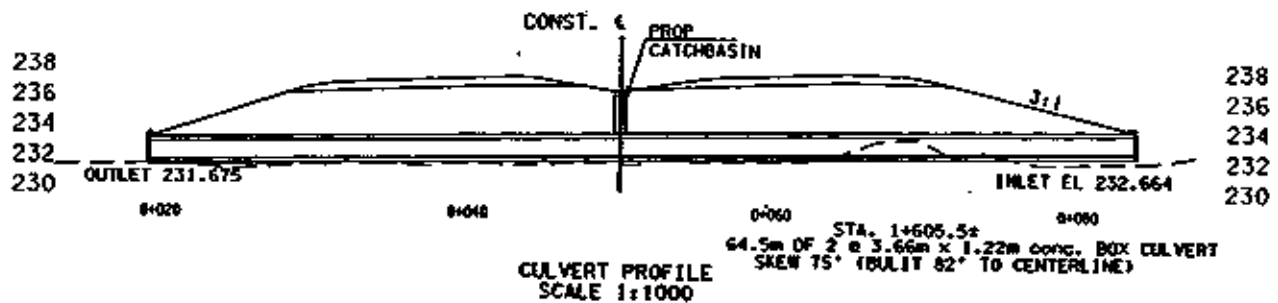
APPLICATION BY:  
TENNESSEE DEPARTMENT OF TRANSPORTATION  
PROJECT No. NH-30(32)  
McMINN COUNTY  
U.S. 411 (S.R. 30)  
FROM POLK COUNTY LINE  
TO NEAR 12TH STREET IN ETOWAH  
SITE NO. 1

DATE: 7/18/01

REVISED: / /

SHEET 2 OF 9

# Permit Sketch

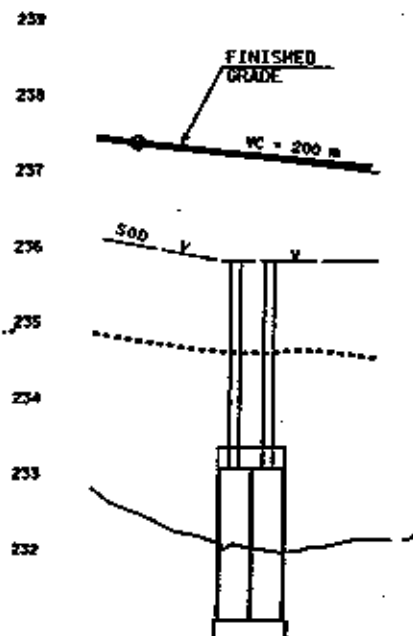
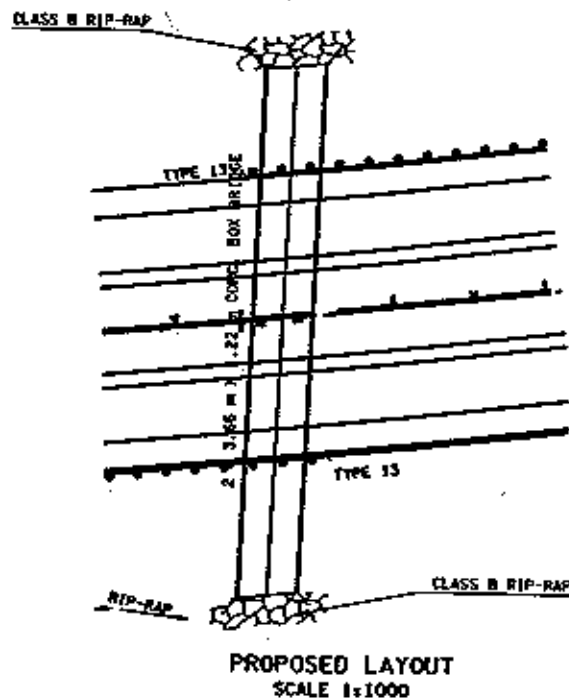


REQUIRED MITIGATION FOR THE 69 m OF STREAM ENCAPSULATION WILL BE INCLUDED IN THE PROPOSED IN-LIEU FEE BANK.



SITE NO. 1  
STA 1+605.5

69.42m OF 2 x 3.66m x 1.22m conc. BOX CULVERT

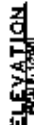


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SITE NO. 1

DATE: 7/18/01

REVISED: / /

SHEET 3 OF 4

[illegible]

NOTE: ALL DIMENSIONS SHOWN IN METERS.  
UNLESS OTHERWISE NOTED.

100

EXISTING BUILDING 8-10-8-11 TO BE RECONSTRUCTED TO NATURAL GRADE.

**PLAN**

**GENERAL NOTES:**

[illegible]

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2004 APR - 158.00  
REASONABLE USE OF PARAPET

11414 95 TENDER  
DEPARTMENT OF TRANSPORTATION  
BRIDGE NO. 2  
PRELIMINARY LAYOUT  
STATE ROUTE 30

CONASUAGA CREEK  
BRIDGE, I.D. NO. 545RQ300023  
STATION 3+181.058  
L.M. 24.44  
MCMINN COUNTY  
1998

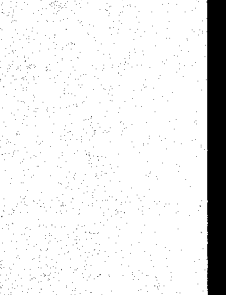
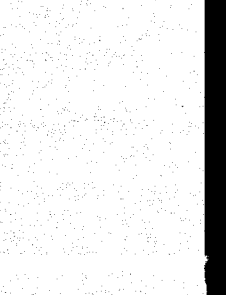
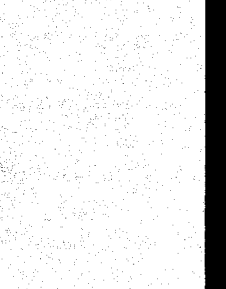
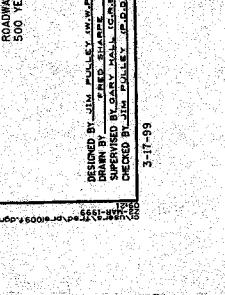
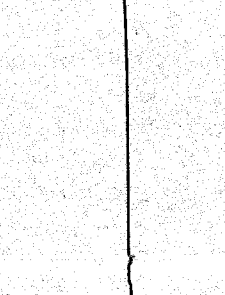
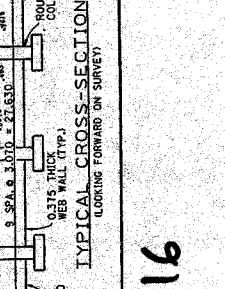
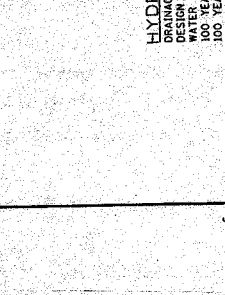
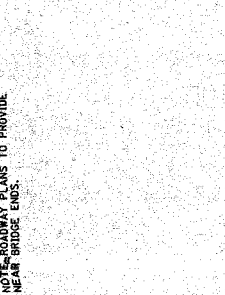
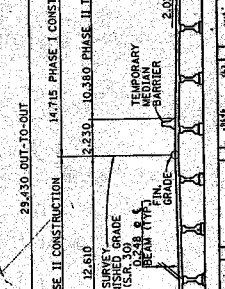
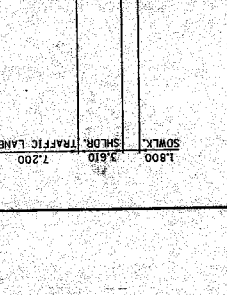
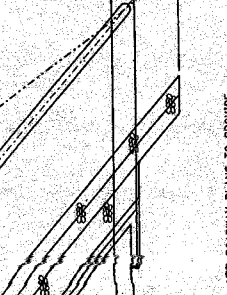
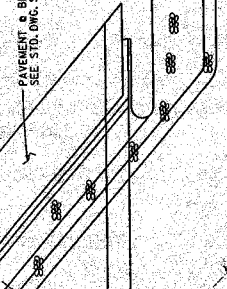
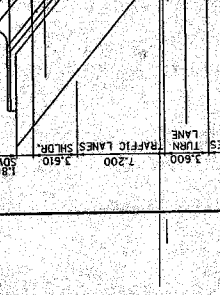
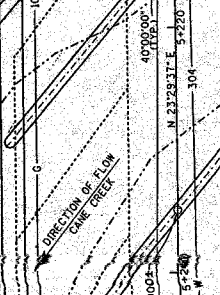
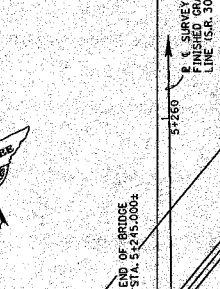
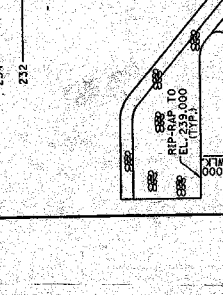
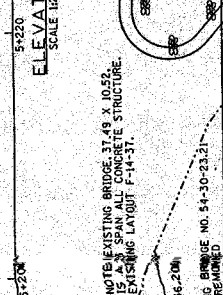
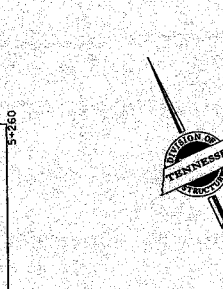
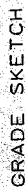
CONNECT ~~Edward P. Maguire~~

STA. 3+181.098

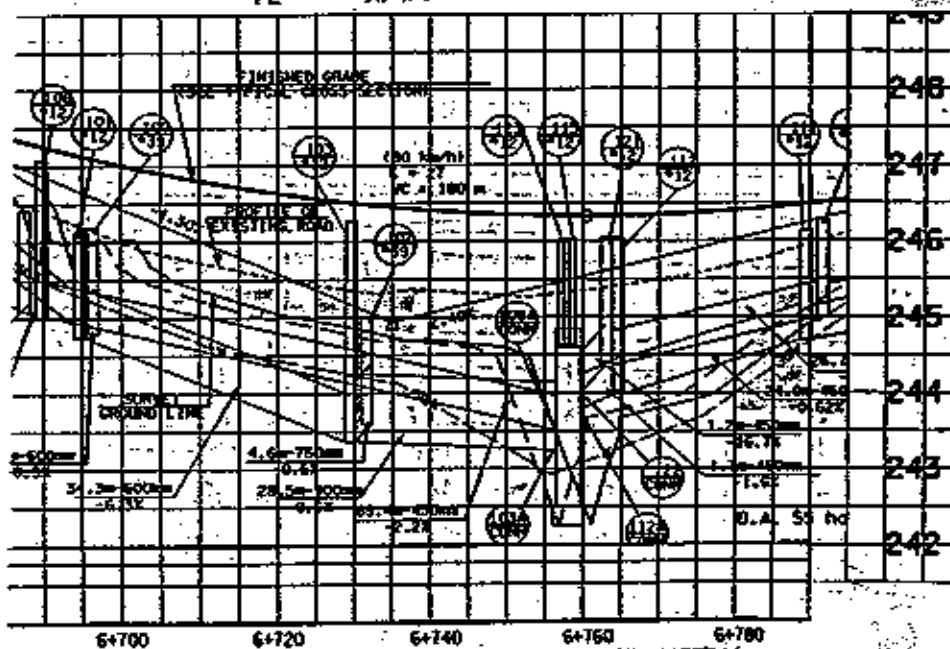
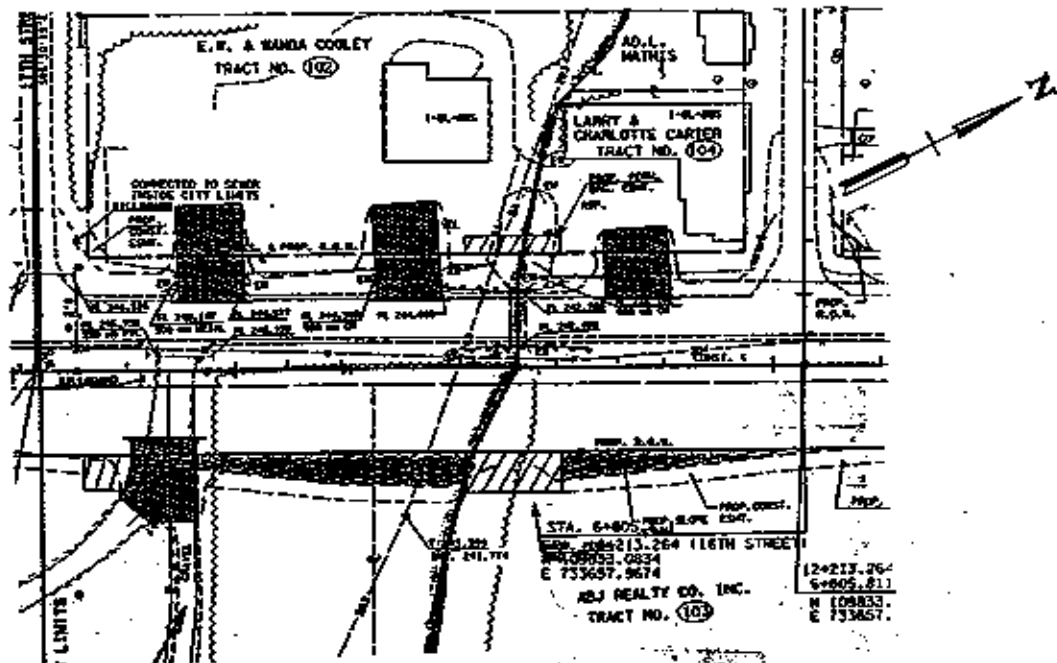
P.N. 01-64  
File 200101451



**GENERAL NOTES:**



Permit Sketch  
Sta. 6+753.089  
Culvert over Unnamed Tributary



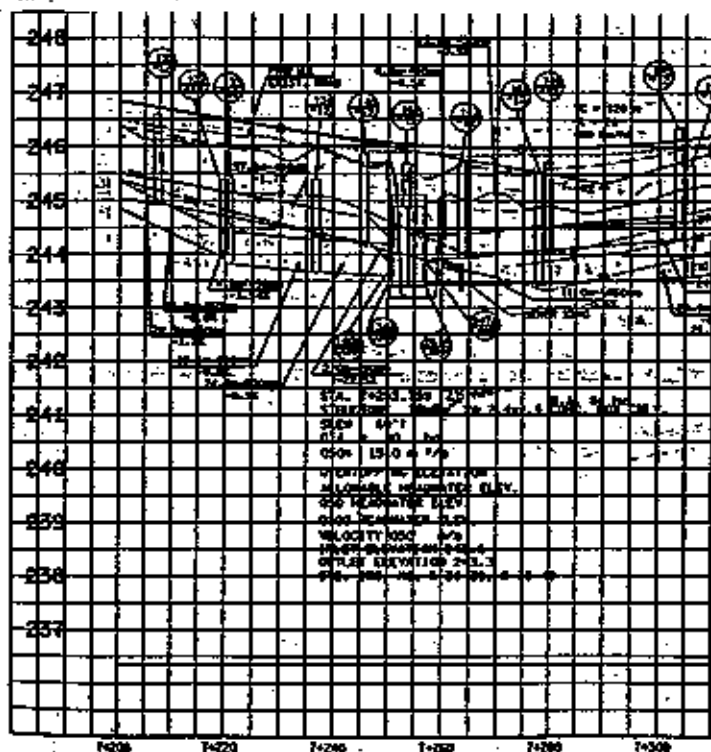
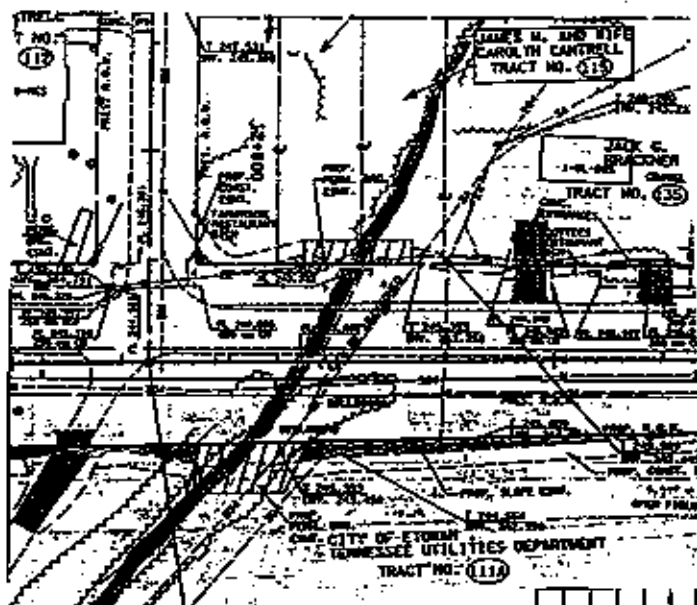
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McMINN COUNTY  
IN ETOWAH, TENNESSEE

DATE: 7/31/01

SHEET 8 OF 9

P.N. 01-64  
File 200101451

Permit Sketch  
Sta. 7+253.759  
Culvert over Unnamed Tributary



APPLICATION BY:  
TENNESSEE DEPARTMENT OF TRANSPORTATION  
PROJECT NO. 54007-1211-04  
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TO 12<sup>th</sup> STREET IN ETOWAH  
McMINN COUNTY  
IN ETOWAH, TENNESSEE

DATE: 7/31/01

SHEET 9 OF 9